

ESTTA Tracking number: **ESTTA642782**

Filing date: **12/05/2014**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91210314
Party	Defendant ThoughtBook LLC
Correspondence Address	MATTHEW H SWYERS THE TRADEMARK COMPANY 344 MAPLE AVE W STE 151 VIENNA, VA 22180-5612 UNITED STATES mswyers@thetrademarkcompany.com
Submission	Motion to Amend Application
Filer's Name	Matthew H. Swyers
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Signature	/Matthew H. Swyers/
Date	12/05/2014
Attachments	Motion to Amend Applicant's Application Serial No 85631349 - Signed.pdf(163794 bytes ) Motion to Amend Applicant's Application Serial No 85631349 Attachments.pdf(3673 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
The Trademark Trial and Appeal Board**

Serial No. 85/631,349 for the mark THOUGHTBOOK

FACEBOOK, INC.,

Opposer,

vs.

THOUGHTBOOK, LLC,

Applicant.

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Opposition No. 91210314

**MOTION TO AMEND U.S. APPLICATION NO. 85/631,349  
WITH CONSENT**

COMES NOW the Applicant, Thoughtbook, LLC (hereinafter "Applicant"), by counsel, and pursuant to 37 C.F.R. § 2.133(a) and TBMP § 514 *et. seq.*, moves the Trademark Trial and Appeal Board for an order restricting the Applicant's identification of goods and services and amending the drawing of the mark in the subject U.S. Application No. 85/631,349 for the mark THOUGHTBOOK as follows herein below.

Applicant proposes that the Board issue an order restricting the Applicant's identification of goods and services as follows:

**Current:** Software as a service (SAAS) services featuring software for personal and collaborative information management.

**Proposed:** Software as a service (SAAS) services featuring software enabling personal and collaborative information aggregation and analysis in a web-based electronic notebook, all of the foregoing excluding social and business networking services.

Applicant proposes the Board issue an order amending Applicant's drawing of the mark as follows:

**Current:** THOUGHTBOOK (Standard Characters, see mark attached)  
The literal element of the mark consists of THOUGHTBOOK.

The mark consists of standard characters, without claim to any particular font, style, size, or color.

**Proposed:** Please find special form drawing attached.  
The literal element of the mark consists of ThoughtBook with the “T” and “B” always appearing in capital letters and the remaining letters appearing in lower case letters.

The Applicant’s proposed amendments to U.S. Application Serial No. 85/631,349, as seen herein above, to restrict the identification of goods and services and to amend Applicant’s drawing of the mark is proper according to 37 C.F.R. § 2.71 and 37 C.F.R. § 2.72 as it merely limits those goods and services found in the original identification and it does not materially alter the mark. In view of the foregoing, approval of the amendment by the Board pursuant to 37 C.F.R. § 2.133(a) is believed appropriate. Opposer, Facebook, Inc. has provided its consent to the instant amendments to Applicant’s Mark as evidenced by Counsel for Opposer’s signature below.

Respectfully submitted this 5<sup>th</sup> day of December, 2014.

THE TRADEMARK COMPANY, PLLC

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SEEN AND CONSENTED TO BY:

/Rebecca Givner-Forbes/  
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Counsel for Opposer  
Date: 12/5/2014

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The Trademark Trial and Appeal Board**

Serial No. 85/631,349 for the mark THOUGHTBOOK

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Opposition No. 91210314

**CERTIFICATE OF SERVICE**

I hereby certify that I have this the 5<sup>th</sup> day of December, 2014 served a true copy of the forgoing upon Opposer's attorney of record, via email at bhughes@cooley.com, rgivnerforbes@cooley.com, trademarks@cooley.com, pwillsey@cooley.com, and afennimore@cooley.com, pursuant to the parties' agreement to accept service by email in this proceeding.

/Matthew H. Swyers/  
Matthew H. Swyers

**Original Mark:**

THOUGHTBOOK

**Proposed Mark:**

ThoughtBook

# ThoughtBook